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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 PARAMJIT SINGH BASRA,

11 Plaintiff,

12 v.

13 RICHARD MORGAN, et al.,

14 Defendant.

CASE NO. 3:16-CV-06005-RBL-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

15 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
16 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
17 record, does hereby find and **ORDER:**

18 (1) The Court adopts the Report and Recommendation.

19 (2) Defendants' motion for summary judgment (Dkt. 39) is **granted in part and**
denied in part, as follows:

20 **(1) RLUIPA and the First Amendment:**

- 21 a. The restriction on regular contact visitation with plaintiff's daughter is the least
22 restrictive means of furthering safety and security and summary judgment is
23 **granted** as to this claim brought pursuant to RLUIPA, the Court **denies**
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defendants' motion for summary judgment as to the claim regarding the restriction on all means of communication with her brought pursuant to RLUIPA.

b. Defendants' motion for summary judgment as to plaintiff's claim that prohibiting plaintiff in person visitation violates the First Amendment is **granted** on the basis of qualified immunity.

c. Defendants' motion for summary judgment on plaintiff's claim that the dietary restrictions violate RLUIPA is **denied**.

d. Defendants' motion for summary judgment on plaintiff's claim that the dietary restrictions violate the First Amendment is **denied**.

(2) **Retaliation:** Defendants' motion for summary judgment as to plaintiff's claim that defendants retaliated against him is **granted**.

(3) **Due Process:** Defendants' motion for summary judgment is **granted** as to plaintiff's allegations that his due process rights have been violated by being denied visitation with his daughter and by defendants' failure to allow contact when a court has recalled a no contact order.

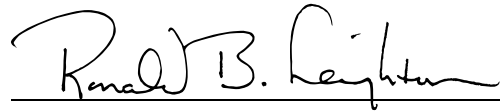
(4) **Equal Protection:** Defendants' motion for summary judgment as to plaintiff's claim of denial of Equal Protection in that he is being discriminated against on the basis of his religion is **granted** as to the restriction against contact visitation, but is **denied** as to the requirement that plaintiff make Commissary purchases if he wishes to follow his religious diet requiring dairy but including no meat.

(5) **Personal participation insufficiently alleged:**

a. The Court **grants** defendants' motion for summary judgment as to all claims against defendants Morgan, Herzog, Wall, and Allison.

1 b. The Court **grants** defendants' motion for summary judgment as to all claims
2 against defendant Howell.

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4 **DATED** this 3rd day of January, 2018.

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7 Ronald B. Leighton
8 United States District Judge
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